

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

04 MAR 26 PM 4:49
U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

UNITED STATES OF AMERICA

v.

Case No. 8:03-CR-77-T-30TBM

HATIM NAJI FARIZ

**MOTION FOR LEAVE TO FILE MOTIONS FOR
RECONSIDERATION OF THIS COURT'S MARCH 12, 2004 ORDER
ON OR BEFORE APRIL 12, 2004**

Defendant, HATIM NAJI FARIZ, by and through undersigned counsel, respectfully requests that this Honorable Court allow the filing of motions for reconsideration (if any) of this Court's Order of March 12, 2004 (Doc. 479), on or before Monday, April 12, 2004. As grounds for support, Mr. Fariz states:

1. On March 12, 2004, this Court issued an Order on the Defendants' pending motions to dismiss, strike, and for reconsideration of the Magistrate Judge's Order on the motions for bill of particulars. (Doc. 479).
2. The Court's Order denies a number of the arguments that Mr. Fariz raised in his motions, including some of his constitutional challenges to the indictment and to the statutes at issue in this case.
3. In light of the number and complexity of the issues involved, Mr. Fariz would respectfully request leave to file motions for reconsideration, if any, on or before April 12, 2004.


4. Courts have recognized that motions for reconsideration may serve a useful procedural function, including in criminal cases, as they may improve judicial economy. *See generally Simmons v. Reliance Standard Life Ins. Co. of Texas*, 310 F.3d 865, 869 (5th Cir. 2002); *United States v. Greenwood*, 974 F.2d 1449, 1466 (5th Cir. 1992) (citing *United States v. Healy*, 376 U.S. 75, 80 (1964)).

5. Defense counsel are unaware of any specific deadlines that govern a motion for reconsideration of a pretrial order. Out of an abundance of caution, Mr. Fariz respectfully requests up to and including April 12, 2004, to review the Court's Order and compose any motions for reconsideration that may be warranted.

WHEREFORE, Defendant, Hatim Naji Fariz, respectfully requests leave of the Court to file motions for reconsideration of the Court's March 12, 2004 Order up to and including April 12, 2004.

Respectfully submitted,

R. FLETCHER PEACOCK
FEDERAL PUBLIC DEFENDER


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CERTIFICATE OF SERVICE

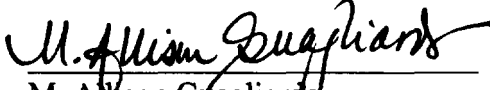
I HEREBY CERTIFY that on this 26th day of March, 2004, a true and correct copy of the foregoing has been furnished by hand delivery to Terry Zitek, Assistant United States Attorney, 400 North Tampa Street, Suite 3200, Tampa, Florida 33602 and to the following by U.S. Mail:

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